

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GERALD H. STOLP,
Petitioner,

v.

KIM HOLLAND,
Respondent.

Case No. [16-cv-01265-JD](#)

ORDER OF TRANSFER

Re: Dkt. Nos. 2, 3

This is a habeas case filed pro se by a state prisoner. Petitioner seeks to challenge a conviction obtained in Calaveras County California. Calaveras County is in the venue of the United States District Court for the Eastern District of California. Petitioner is incarcerated in Tehachapi, CA, which is located in the Central District of California.

Venue for a habeas action is proper in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); this district is neither. Because petitions challenging a conviction are preferably heard in the district of conviction, Habeas L.R. 2254-3(a); *Laue v. Nelson*, 279 F. Supp. 265, 266 (N.D. Cal. 1968), and petitioner was convicted in Calaveras County, this case is **TRANSFERRED** to the United States District Court for the Eastern District of California. *See* 28 U.S.C. § 1406(a); Habeas L.R. 2254-3(b).

IT IS SO ORDERED.

Dated: April 19, 2016



JAMES DONATO
United States District Judge

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GERALD H. STOLP,
Plaintiff,

v.

KIM HOLLAND,
Defendant.

Case No. [16-cv-01265-JD](#)

CERTIFICATE OF SERVICE

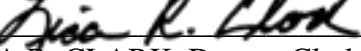
I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on April 19, 2016, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Gerald H. Stolp ID: ID: AK4738
California Correctional Institution
P.O. Box 1902
Tehachapi, CA 93581

Dated: April 19, 2016

Susan Y. Soong
Clerk, United States District Court

By: 
LISA R. CLARK, Deputy Clerk to the
Honorable JAMES DONATO